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 CONTRA COSTA WATER DISTRICT

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CONTRA COSTA WATER DISTRICT,

Plaintiff,

v.

HARTFORD UNDERWRITERS
 INSURANCE COMPANY; and Does 1
 through 10, inclusive,

Defendants.

HARTFORD UNDERWRITERS
 INSURANCE COMPANY,

Counterclaimant,

v.

CONTRA COSTA WATER DISTRICT,

Counterdefendant

CASE NO. CV 09-0983 MMC

**JOINT CASE MANAGEMENT
 CONFERENCE STATEMENT;
~~PROPOSED~~ ORDER**

Date: Friday, December 10, 2010
Time: 10:30 a.m.
Courtroom: 7
Judge: Hon. Maxine M. Chesney

Per Federal Rule of Civil Procedure 16, the Civil Local Rules of this Court, and the Standing Order of this Court, defendant/counterclaimant HARTFORD UNDERWRITERS INSURANCE COMPANY (“Hartford”) and plaintiff/counterdefendant CONTRA COSTA WATER DISTRICT (“CCWD” or “Plaintiff”), by and through their undersigned counsel, submit the following Case Management Conference Statement.

At the last Case Management Conference on September 10, 2010, the parties advised the Court that, earlier that morning, they had reached agreement on the terms of a settlement. This agreement was attained when the parties signed a written “mediator’s proposal” prepared by the Hon. Ronald Sabraw (Ret.), of JAMS. At the September 10 conference, the parties advised the Court that they anticipated they would be able to complete the process of executing all settlement documents and mutual requests for dismissal by December 10, 2010, the date selected for the next conference.

Despite the parties’ efforts, and their counsel’s subsequent success in reaching agreement in principle on the provisions of the settlement agreement, the agreement has not been finalized or executed by all parties, nor have its terms been implemented.

Accordingly, the parties request that the Case Management Conference, currently set for December 10, 2010, be vacated, and the matter be re-set for a further conference on February 11, 2011, or a date near then that is convenient to the Court. In the meantime, the parties will work to finalize the settlement and dismissal of the action before that date.

DATED: December 3, 2010

SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: /s/ Bruce D. Celebrezze
 Bruce D. Celebrezze
 Matthew C. Lovell
 Attorneys for defendant and counterclaimant
 HARTFORD UNDERWRITERS
 INSURANCE COMPANY

DATED: December 3, 2010

BOWLES & VERNA LLP

By: /s/ Robert I. Westerfield
 Robert I. Westerfield
 Michael P. Connolly
 Attorneys for plaintiff and counterdefendant
 CONTRA COSTA WATER DISTRICT

ATTESTATION OF FILING

Pursuant to General Order 45.X.B, I attest that I have obtained concurrence in the filing of this document from the parties listed above.


/s/ Matthew C. Lovell
Matthew C. Lovell

ORDER

Pursuant to the joint statement set forth above, and good cause appearing, IT IS SO ORDERED. The Case Management Conference set for December 10, 2010 at 10:30 a.m. in this department, is vacated.

A new Case Management Conference is set for February 11, 2011. In the meantime, the parties will work to finalize the settlement and dismissal of the action before that date.

Dated: December 8, 2010


Maxine M. Chesney
UNITED STATES DISTRICT JUDGE